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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,770	12/20/2001	Eisaku Ito	217363US3	6887

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

VERDIER, CHRISTOPHER M

ART UNIT PAPER NUMBER

3745

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

10/022,770

Examiner

Christopher Verdier

Applicant(s)

ITO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the IDS filed 7-8-04.
2. ☒ The allowed claim(s) is/are 2 and 3.
3. ☒ The drawings filed on 12-20-01, 4-28-04 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7-8-04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The Information Disclosure Statement filed July 8, 2004 lists U.S. Patent 5,192,190, U.S. Patent 4,714,407, and Swiss Patent 586,841, which are indicated as "X" references on the corresponding European Search Report for EP 01 13 0467. None of these references anticipate or render obvious pending claims 2-3, for the reasons set forth below.

Claims 2-3 are directed towards an unobvious improvement over the invention patented in U.S. Patent 5,192,190. The improvement comprises the stationary blade having an entrance metal angle at the tip portion of the stationary blade that is the stationary blade at a rear stage of the moving blade having the tip clearance (which is between the tips of the moving blades and a casing), that is smaller than an entrance metal angle at other portions than the tip portion of the stationary blade. The term "entrance metal angle" refers to a specific angle as known in the art, as described in Applicants' specification (see page 15, lines 1-2), and as described in U.S. Patent 5,354,178. The table in columns 3-4 of U.S. Patent 5,192,190 shows that the inlet included angle decreases from the tip to other portions of the stationary blade. However, the inlet included angle is an angle which is entirely different from the claimed "entrance metal angle". U.S. Patent 5,192,190 does not disclose the improvement.

Claim is 2 directed towards an unobvious improvement over the invention patented in U.S. Patent 4,714,407. The improvement comprises the stationary blade having an entrance metal angle at the tip portion of the stationary blade that is the stationary blade at a rear stage of

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the moving blade having the tip clearance (which is between the tips of the moving blades and a casing), that is smaller than an entrance metal angle at other portions than the tip portion of the stationary blade. The term "entrance metal angle" refers to a specific angle as known in the art, as described in Applicants' specification (see page 15, lines 1-2), and as described in U.S. Patent 5,354,178. U.S. Patent 4,714,407 (figures 3 and 10-12) is silent as to the entrance metal angle. From figures 10-12, it appears that an entrance metal angle at the tip would be largest at the tip region, which is opposite to the claimed improvement.

Claims 2-3 are directed towards an unobvious improvement over the invention patented in Swiss Patent 586,841. The improvement comprises the stationary blade having an entrance metal angle at the tip portion of the stationary blade that is the stationary blade at a rear stage of the moving blade having the tip clearance (which is between the tips of the moving blades and a casing), that is smaller than an entrance metal angle at other portions than the tip portion of the stationary blade. The term "entrance metal angle" refers to a specific angle as known in the art, as described in Applicants' specification (see page 15, lines 1-2), and as described in U.S. Patent 5,354,178. The Swiss Patent 586,841 is silent as to the entrance metal angle. From figure 2, it appears that an entrance metal angle at the tip would be largest at the tip region, which is opposite to the claimed improvement.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.V.
March 2, 2005


Christopher Verdier
Primary Examiner
Art Unit 3745